IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

MONDAY, THE 26TH FEBRUARY 2007 / 7TH PHALGUNA 1928

WP(C).No. 4373 of 2007(U)

PETITIONER:

---

1. G. JAYARANI, AGED 32,
   THODIYILAZHIKATHU VEEDU, VELIYAM WEST P.O.,
   VELIYAM, KOTTARAKKARA, WORKING AS PROJECT
   ENGINEERS OFFICE, KLDC, TRIVANDRUM.

2. RAJALEKSHMI T., AGED 36,
   PANCHAJANYAM, PUTHUPPALLY P.O., KAYAMKULAM,
   WORKING AT PROJECT ENGINEERS OFFICE, KLDC,
   KAYAMKULAM.

3. BEENA I.C., AGED 33,
   ODAYIL HOUSE, EDAKKULAM P.O., IRINJALAKKUDA,
   THRISSUR, WORKING AT PROJECT ENGINEERS OFFICE,
   KLDC, THRISSUR.

4. VIDHYA K.K., AGED 30,
   KALAAN HOUSE, EDATHURUTHI WEST P.O.,
   IRINJALAKKUDA VIA., THRISSUR, WORKING AT PROJECT
   ENGINEERS OFFICE, KLDC, THRISSUR.

BY ADV. SRI.S.SUDHEESHKAR
SRI.NIDHI BALACHANDRAN
SRI.PRATHEESH.P

RESPONDENTS:

---

1. STATE OF KERALA,
   REPRESENTED BY CHIEF SECRETARY, GOVT.SECRETARIAT,
   THIRUVANANTHAPURAM.

2. THE KERALA LAND DEVELOPMENT CORPORATION
   REPRESENTED BY ITS CHAIRMAN AND ADDL.SECRETARY TO
   AGRICULTURE, T.C.224/594, THYKKADU P.O.,
   THIRUVANANTHAPURAM.

3. THE MANAGING DIRECTOR,
   THE KERALA LAND DEVELOPMENT CORPORATION,
   T.C.224/594, THYKKADU P.O., THIRUVANANTHAPURAM.

R1 BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K. DENESAN, J.

= = = = = = = = = = = = = = = = =
W.P.(C) No. 4373 OF 2007 U
= = = = = = = = = = = = = = = = =

Dated this the 26th February, 2007

J U D G M E N T

The petitioners are working as II Grade Overseers in the Kerala Land Development Corporation-the 2nd respondent. The request made by the petitioners for equalising their pay by enhancing the same to Rs.4000-6090 has been rejected by the Government as per Ext. P6 letter dated 31-8-2006. Overseers Grade II of the Public Works Department, Irrigation and Harbour Engineering Department under the Government have been sanctioned the enhanced pay scale of Rs.4000-6090 as per Ext. P5 order dated 8-6-2001. According to the petitioners, they are entitled for a similar enhancement. The grievance of the petitioners was taken up by the 3rd respondent-Managing Director of the 2nd respondent-Corporation with the Government. But the Government replied that the benefit granted to Overseers Grade II in the Government Department as per Ext. P5 have not been extended to Overseer Grade II or Draftsman Grade II working in the statutory corporations or local bodies or any other Government departments.

2. The pay scale determined for various categories in Government departments are not automatically sanctioned to similar categories of employees in Government Corporations and companies. Whether the pay scale shall be equalised or enhanced is a matter of policy. Hence, a writ of mandamus sought for directing the Government to sanction a similar pay scale to the petitioners who are working in a statutory Corporation cannot be issued. Since the Government have stated that the pay scale of similar categories of employees in the Corporations and Government companies have not been enhanced, the petitioners are at liberty to make a fresh claim for sanctioning them also similar pay scales in tune with any decision taken by the Government to enhance the pay scales of similar categories of employees in any of the Corporations or Government companies. Without prejudice to that freedom, this writ petition is dismissed.

K.K. DENESAN
JUDGE

jan/